

North Carolina  
Department of Environment and Natural Resources

Michael F. Easley, Governor  
William G. Ross, Secretary  
Dexter R. Matthews, Director



WINSTON-SALEM REGIONAL OFFICE  
DIVISION OF WASTE MANAGEMENT  
SOLID WASTE SECTION

March 18, 2008

Wilkes County  
Gary Page, Manager  
110 North Street, Room 110  
Wilkesboro, NC 28697

**RE: Wilkes County MSW Landfill  
Permit #: 97-04  
Compliance Update**

Dear Mr. Page:

As a follow-up to the site inspection conducted on Friday, March 14, 2008, this letter and the attached report shall serve as an update on the status of compliance for the Wilkes County MSW Landfill in Roaring River, NC, in relation the Compliance Order issued on February 12, 2008.

As you are aware as a participant in the inspection, some of the requirements for compliance in this matter have been addressed while others have not.

Attached is an audit report for the facility based on the inspection. I will summarize below the actual conditions for compliance from the February 12<sup>th</sup> compliance order and to what extent they have been addressed to date. The conditions will appear in standard text, and my comments in italics.

1. Take immediate action to meet the requirements set forth in 15A NCAC 13B .1626(2) in providing adequate cover on all waste at the facility.

*During the March 14<sup>th</sup> inspection, it was observed that large areas of waste (outside of the working face) both in Phases 2 and 3 remain uncovered, either completely or partially in nature. Facility staff were hauling dirt and trying to cover areas. As discussed on site, all waste must be completely covered with six inches of soil to be deemed compliant.*

2. Develop and implement a plan to control all windblown waste at the facility.

*A plan to control windblown waste was submitted to Section staff during a February 29, 2008 meeting that would utilize the existing fence in addition to other types of fencing that would be strategically placed at the facility. It was observed during the inspection that a taller fence was being installed on the access road adjacent to Phase 3. No other fence was in place, but Mr. Livingston stated that he was working with a contractor to design and build a five-foot tall section of fence to be placed along the top of the slope where Phases 2 and 3 meet as well as portable sections to be placed adjacent to the working face. The majority of all windblown waste around Phases 2 and 3 have been picked up and returned to the working face.*

3. Take immediate action to repair the failed section of the berm, remove all waste from the sediment pond, and pump any remaining water into the leachate pond.

*The waste has been removed from the pond and the water had been pumped out prior to this inspection. An initial repair had been made to the berm, but further inspection revealed that additional work needs to be done to it to ensure that it meets the design from Joyce Engineering as outlined in their December 4, 2007 letter to the facility addressing the November 6, 2007 Notice of Violation issued by the Section.*

4. Obtain the services of a NC licensed geologist to assess and remediate any potential groundwater contamination resulting from the leachate release outside of Phase 3. A plan of action must be submitted after the assessment.

*Joyce Engineering staff have met with Ervin Lane, Compliance Hydrogeologist, to discuss the needed assessment and plan. Staff from Joyce have been on-site and conducted initial soil sampling.*

5. Submit a report on the cause of the leachate release and a plan of action to prevent migration outside of the liner. The plan shall be in accordance with 15A NCAC 13B .1626(12).

*Joyce Engineering on behalf of Wilkes County submitted a letter to me on March 7, 2008 to address this issue. Per that letter, the leachate management plan from the existing 2004 operations plan is, itself, in compliance with .1626(12), however the operations at the landfill need to be adjusted as suggested in the December 4, 2007 letter to the facility to ensure compliance with this plan. Those adjustments were in relation to operational progression, storm water and leachate segregation.*

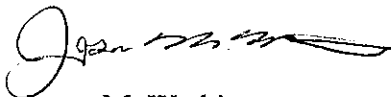
6. Take immediate action to either remove or adequately store all scrap tires at the facility. Develop and implement a plan to address the management of scrap tires.

*A plan was submitted to Section staff during the February 29, 2008 meeting outlining scrap tire management. As noted at that time, due to potential changes in operational and managerial priorities, that plan may need further modification, but will serve as a temporary plan of action. During the inspection, it was observed that all scrap tires had been removed from the ground and were being stored in trailers awaiting shipment to US Tire.*

As a reminder, there were deadlines applied to the conditions for compliance that must be addressed. It is essential that these deadlines be met to prevent additional enforcement action.

If you have any questions and/or concerns regarding my comments above in regards to facility compliance, please contact me at (336) 771-5092.

Sincerely,



Jason M. Watkins  
Central District Supervisor  
Field Operations Branch

Enclosures

Cc: Mark Poindexter, Field Operations Branch Head  
Paul Crissman, Section Chief